

APR 21 2008

M-12013 US  
10/085,682REMARKS

Applicants respectfully request reconsideration of the pending claims as follows:

The objection to the specification

The specification has been updated to include missing application numbers and also the status of applications discussed therein.

The nonstatutory double patenting rejections

The enclosed terminal disclaimer to commonly-owned USP 6,908,725 moots these rejections.

The objection to the drawings

Applicants respectfully traverse the objections to the drawings. In fact, each and every limitation being claimed is plainly supported by the drawings. For example, claim 1 was amended to include the limitation of "a dielectric layer sputtered over the phase-change material; the first surface disk having no additional layers overlaying the dielectric layer, the first portion thereby being a ROM portion and the second portion being a RAM portion, wherein a combined thickness of the phase change material and the dielectric layer is such that the dielectric layer defines coated bumps having a first height with regard to coated planar regions in the first portion, and coated lands having a second height with regard to coated grooves in the second portion, and wherein a data density of the first portion is less than a data density of the second portion."

For example, consider Figure 4, which shows a cross-section of the ROM portion. Here, the claimed bumps in the substrate are shown coated with the phase-change layer and the dielectric layer (shown collectively as layer 212). Note that the thickness of layer 212 is such that the bumps are retained: i.e., the bumps are still retained with respect to the planar regions between the bumps. In all the prior art disks cited in this matter, the

Page 8 of 9

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10/085,682

covering layers would have a thickness such that the planar regions are entirely "filled in" such that no bumps are defined by layer 212. As plainly shown by Figure 4, no further layers cover the phase-change layer and the dielectric layer.

Similarly, Figure 3 shows a cross-section of the RAM portion of the disk. The phase-change layer and dielectric layer (shown collectively as layer 212) has a thickness such that the grooves and lands are retained as recited in claim 1. Just like Figure 4, no further layers cover the phase-change layer and the dielectric layer. Accordingly, Applicants respectfully submit that the Figures plainly support the claims.

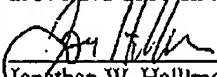
#### CONCLUSION

For the reasons set forth above, the pending claims are in condition for allowance.

If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.


#### Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office at 571.273.8300 on the date shown below.

  
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April 21, 2008  
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